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IN THE HIGH COURT OF JUDICATURE AT BILASPUR, CHHATTISGARH

Writ Petition No. 357 of 2005

PETITIONER:

Ram Bharosh Chouhan,
S/o Budhiram Chouhan,
Aged about 51 years,
Presently posted and working
as Lower Division Teacher,
Kanya Ashram, Nawa Para,
Tenda, Block: Gharghoda,
District: Raigarh, Chhattisgarh.

P.R. No. 3608 dated 23/2/05 Presented by Shri S.K. Gupta

- Versus -

RESPONDENTS:

1. State of Chhattisgarh,
Through the Secretary,
Department of Scheduled Caste
/Scheduled Tribe Development,
Mantralaya, D.K.S. Bhawan,
Raipur, Chhattisgarh.

2. The Commissioner,
Department of Scheduled Caste
/Scheduled Tribe Development,
Raipur, Chhattisgarh.

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3. The Assistant Commissioner,
Tribal Welfare Department,
Raigarh, Raipur, Chhattisgarh.

4. The Block Education Officer,
Tribal Welfare Department,
Gharghoda, District: Raigarh,
Chhattisgarh.

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT/WRITS, DIRECTIONS ETC., IN THE NATURE OF MANDAMUS, CERTIORARI AND/OR ANY OTHER SUITABLE WRIT OF LIKE NATURE

The petitioner, above named, most respectfully begs to submit as under: -

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 3507/2005 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	08-08-2005 W.P.No.3507 of 2005 Heard Shri Hari Shankar Patel, counsel for the petitioner and Shri Bhaskar Payasi, Panel Lawyer for the State/respondents. By way of this writ petition filed under Article 226/227 of the Constitution of India the petitioner has challenged the legality of his relieving order dated 2-7-2005 (Annexure-P/1). Learned counsel for the petitioner submits that there is a reference of transfer order dated 24-9-2004 in the aforesaid reliving order (Annexure-P/1), but the particulars of the petitioner are not correctly written in the transfer order. Shri Patel refers to the transfer order (Annexure-P/2) in which the name of the petitioner finds place at S.No.9. He submits that the name of the petitioner is R.B. Chouhan and his Lower Division Teacher (LDT) whereas in the transfer order his name has been shown as R.P. Chouhan and his designation has been mentioned as Upper Division Teacher (UDT). I have gone through the documents Annexure-P/1 and P/2. Vide Annexure-P/2, the petitioner has been transferred from Kanya Ashram, Tenda, Nawa Para to Madhyamiksala, Manikpur, Block Development Balarampur, District Sarguja. In the relieving order, the place of present posting of the petitioner has been mentioned as Nawa Para, Tenda. In Anneure-P/2, the Block has been shown as Dharamjaigarh, District Raigarh whereas in Annexure-P/1, the Block has been shown as Gharghora, District Raigarh.	

(पीछे देखिये)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर 30

आदेश पत्रक

मामला क्रमांक W.P 3507/05 **सन्** **200**

विरुद्ध

- 2 -

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Gowri	It appears to me that the aforesaid mistakes are the typing mistakes in the order Annexure-P/2. On these minor mistakes in the transfer order, the reliving order of the petitioner (Anneure-P/1) cannot be assailed and it cannot be quashed. I am not inclined to entertain this writ petition against the impugned order Anneure-P/1, therefore, I dismiss the same, however, I direct the State to take necessary action to make correction in the transfer order dated 24-9-2004 and issue a copy of fresh order to the petitioner. The petitioner would thereafter check and if the transfer order dated 24-9-2004 is correct and in fact it is transfer of the petitioner, then he will join at his new place of posting in accordance with the said order and the relieving order dated 2-7-2005. If any change is made then it will take its own course. With the aforesaid observations and directions the petition stands finally disposed of at this stage. Consequently, M.(W.)P. No. 2959/05 and I.A. No. 6647/05 also stand disposed of. Parties are entitled for certified copy of this order. **Sd/-** **Sunil Kumar Sinha** **Judge**	

(पीछे देखिये)

11.8.05